

**AN ORDINANCE
BY FINANCE/ EXECUTIVE COMMITTEE**

AN ORDINANCE TO AUTHORIZE THE MAYOR TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ATLANTA CITY CODE ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO REMIT PAYMENT TO CA INC., FOR THE PAST DUE INVOICE FOR THE CURRENT CONTRACT YEAR IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SIXTY-EIGHT THOUSAND, ONE HUNDRED FORTY-FIVE DOLLARS AND EIGHTY-ONE CENTS (\$168,145.81) FOR MAINFRAME OPERATIONS MANAGEMENT, DESKTOP MANAGEMENT, NETWORK MANAGEMENT, AND INFORMATION SECURITY SOFTWARE LICENSES, SUPPORT AND MAINTENANCE TO BE CHARGED TO AND PAID FROM FDOA NUMBER 1001 (GENERAL FUND) 050202 (IT APPLICATIONS) 5410001 (CONSULTING/PROFESSIONAL SERVICES) 1535000 (DATA PROCESSING/MANAGEMENT INFORMATION SYSTEM); AND FOR OTHER PURPOSES.

WHEREAS, on September 2, 2008, the Atlanta City Council adopted Ordinance 08-O-1429 which authorized payment to CA for past due invoices for services rendered through August 1st, 2008, in an amount not to exceed Four Hundred Thirty-Three Thousand, Two Hundred Fifty-Nine Dollars and No Cents (\$433,259.00); and

WHEREAS, the total authorized payment for services rendered in Ordinance 08-O-1429 did not include the cost of services invoiced for the contract year that began on March 31, 2008, which was also past due as of August 1, 2008, in the amount of One Hundred, Sixty-Eight Thousand, One Hundred Forty-Five Dollars and Eighty-One Cents (\$168,145.81); and

WHEREAS, the Department of Information Technology did appropriate funds to pay for the then past-due invoice for the contract year that began on March 31, 2008 in an amount not to exceed One Hundred Sixty-eight Thousand, One Hundred, Forty-five Dollars and Eighty-one Cents (\$168,145.81); and

WHEREAS, Ordinance 08-O-1429 also ratified contract Amendment Number 8 (a contract document) which amended the term of the contract with CA to 3 years, beginning March 31, 2008, and ending March 30, 2011; and

WHEREAS, due to clerical error, the Atlanta City Council ordained a 2-year agreement (and not a 3-year agreement) in Ordinance 08-O-1429, for a contract price in an amount not to exceed One Hundred Twenty-Six Thousand, One Hundred Nine Dollars and Thirty-Seven Cents (\$126,109.37) per year for the last two years.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

SECTION 1: That the Chief Financial Officer is authorized to remit payment to CA for the past-due invoice for the contract year which began on March 31, 2008, in an amount not to exceed One Hundred Sixty-eight Thousand, One Hundred, Forty-five Dollars and Eighty-one Cents (\$168,145.81), to be charged to and paid from FDOA Number 1001 (General Fund) 050202 (IT Applications) 5410001 (Consulting/Professional Services) 1535000 (Data Processing/Management Information System)

SECTION 2: That the remittance of the past-due invoice for the contract year that began on March 31, 2008, is in addition to the remittance for past due invoices in the amount of Four Hundred Thirty-Three Thousand, Two Hundred Fifty-Nine Dollars and No Cents (\$433,259.00) which was previously authorized in Ordinance 08-O-1429

SECTION 3: That the Agreement, pursuant to Amendment Number 8, is extended for a period of three (3) years which commenced on March 31, 2008.

SECTION 3: That Chapter 2, Article X, Division 4 of the City of Atlanta's Code of Ordinances is hereby waived to the extent that such applies to the authorization of payment for services rendered by CA, and the new contract.

SECTION 4: That all Ordinances or parts of Ordinances in conflict with this Ordinance are waived for this instance only.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: FINANCE/EXECUTIVE

Caption:

AN ORDINANCE TO AUTHORIZE THE MAYOR TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ATLANTA CITY CODE ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO REMIT PAYMENT TO CA INC., FOR THE PAST DUE INVOICE FOR THE CURRENT CONTRACT YEAR IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SIXTY-EIGHT THOUSAND, ONE HUNDRED FORTY-FIVE DOLLARS AND EIGHTY-ONE CENTS (\$168,145.81) FOR MAINFRAME OPERATIONS MANAGEMENT, DESKTOP MANAGEMENT, NETWORK MANAGEMENT, AND INFORMATION SECURITY SOFTWARE LICENSES, SUPPORT AND MAINTENANCE TO BE CHARGED TO AND PAID FROM FDOA NUMBER 1001 (GENERAL FUND) 050202 (IT APPLICATIONS) 5410001 (CONSULTING/PROFESSIONAL SERVICES) 1535000 (DATA PROCESSING/MANAGEMENT INFORMATION SYSTEM); AND FOR OTHER PURPOSES.

Council Meeting Date: December 1, 2008

Requesting Dept.: Information Technology

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

DIT seeks approval to pay for a past due invoice with CA Inc. for the first year of the current agreement.

2. Please provide background information regarding this legislation.

In September of this year the City Council adopted Ordinance 08-O-1429 which authorized payment to CA for past due invoices for services rendered through August 1, 2008. The total authorized payment for services rendered did not include the cost of services invoiced for the contract year that began on March 31, 2008 which was also past due as of August 1, 2008. DIT did appropriate the funds to pay for the services for the current year in the amount of \$168,145.81.

The ordinance also ratified contract Amendment Number 8 for a term of 3 years but due to clerical error the council ordained a two year agreement instead of a three year agreement.

3. If Applicable/Known:

- (a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** Software & Support
- (b) **Source Selection:**
- (c) **Bids/Proposals Due:**
- (d) **Invitations Issued:**
- (e) **Number of Bids:**
- (f) **Proposals Received:**
- (g) **Bidders/Proponents:**
- (h) **Term of Contract:** 3 years

4. **Fund Account Center:** 1001 (General Fund) 050202 (IT Applications) 5410001 (Consulting/Professional Services) 1535000 (Data Processing/Management Information System)

5. **Source of Funds:**

6. **Fiscal Impact:** \$168,145.81

7. **Method of Cost Recovery:**

This Legislative Request Form Was Prepared By: Kathleen Lane, DIT Compliance Analyst

Legislation Summary

Committee of Purview:

Caption

A resolution authorizing the Mayor to execute an appropriate contractual agreement on behalf of the Department of Information Technology with CA, Inc. in an amount not to exceed one hundred sixty eight thousand one hundred forty five dollars and eighty one cents (\$168,145.81). All contract work shall be charged to and paid from fund account and center number: 1001 (General Fund), 050202 (IT Applications), 5410001 (Consulting/Professional Services), 1535000 (Data Processing/Management Information System).

Council Meeting Date: December 1, 2008

Legislation Title: Resolution authorizing the Chief Financial Officer to remit payment for past due invoices with CA, Inc. for the Mainframe Operations Management, Desktop Management, Network Management and Information Security Software Licenses, and Support and Maintenance on behalf of the Department of Information Technology in an amount not to exceed one hundred sixty eight thousand one hundred forty five dollars and eighty one cents (\$168,145.81). All contract work shall be charged to and paid from fund account and center number: 1001 (General Fund), 050202 (IT Applications), 5410001 (Consulting/Professional Services), 1535000 (Data Processing/Management Information System).

Requesting Department: Department of Information Technology

Contract Type: N/A

Source Selection: GSA Contract #GS-35F-0823M

Bids/Proposals Due: N/A

Invitations Issued: N/A

**Number of Bids/
Proposals Received:** N/A

Bidders/Proponents: N/A

Justification Statement: N/A

Background: N/A

Fund Account Centers: 1001 (General Fund), 050202 (IT Applications),
5410001 (Consulting/Professional Services),
1535000 (Data Processing/Management
Information System).

Source of Funds: N/A

Fiscal Impact: N/A

Term of Contract: N/A

Method of Cost Recovery: N/A

Approval:

DOF:

DOL:

Prepared By: Patricia Lowe, Buyer

Contact Number: 404.330.6583



Invoice

Invoice #: 90063822

Issuance Date: 03/26/2008

Invoice Date: 03/31/2008

Due Date: 03/31/2008

Purchase Order #:

Partner ID: 22990

Partner: CITY OF ATLANTA
55 TRINITY AVE SW STE 300
ATLANTA, GA 30303-3534

Bill To: STACY GOREE
CITY OF ATLANTA
55 TRINITY AVE SW STE 300
ATLANTA, GA 30303-3534

Remit To: CA, INC.
BOX 3591
PO BOX 8500
PHILADELPHIA , PA 19178-3591

Payments are due on or before the due date.



Contract #	Product Description	Net Balance	Tax Balance	Total
40084344-25	Unicenter® Detector® for DB2 for z/OS Period Covered 03/31/2008 - 03/14/2009 Tech Contact: Stacy Goree			
40084344-50	CA Easytrieve Plus Report Generator Option for DB2 Period Covered 03/31/2008 - 03/14/2009			
40084344-75	CA Easytrieve Plus Report Generator Period Covered 03/31/2008 - 03/14/2009			
40084344-100	CA FAVER VSAM Data Protection Period Covered 03/31/2008 - 03/14/2009			
40084344-125	CA Opera™ Period Covered 03/31/2008 - 03/14/2009			

Continued



Invoice

Invoice #: 90063822
Invoice Date: 03/31/2008
Purchase Order #:

Issuance Date: 03/26/2008
Due Date: 03/31/2008

Partner ID: 22990

Contract #	Product Description	Net Balance	Tax Balance	Total
40084344-150	CA DADS™ Plus for CICS Period Covered 03/31/2008 - 03/14/2009			
40084344-175	Unicenter® Plan Analyzer® for DB2 for z/OS Period Covered 03/31/2008 - 03/14/2009			
40084344-200	Unicenter® RC/Compare™ for DB2 for z/OS Period Covered 03/31/2008 - 03/14/2009			
40084344-225	Unicenter® RC/Migrator® for DB2 for z/OS Period Covered 03/31/2008 - 03/14/2009			
40084344-250	Unicenter® RC/Query® for DB2 for z/OS Period Covered 03/31/2008 - 03/14/2009			
40084344-275	CA Roscoe® Interactive Environment Period Covered 03/31/2008 - 03/14/2009			
40084344-300	CA Scheduler® Job Management Period Covered 03/31/2008 - 03/14/2009			
40084344-325	CA TLMS TAPE MANAGEMENT Period Covered 03/31/2008 - 03/14/2009			
40084344-350	CA Top Secret Security Period Covered 03/31/2008 - 03/14/2009			
40084344-375	CA Cleanup for CA-Top Secret® Period Covered 03/31/2008 - 03/14/2009			
40084344-400	CA Librarian Base+ LIB/AM+ TSO Period Covered 03/31/2008 - 03/14/2009			
Total		168,145.81	0.00	168,145.81

NET AMT: 168,145.81

TAX AMT: 0.00

Special Instructions:

Please Pay: **168,145.81**
US Dollar

Please address billing inquiries to the following address, or call our Client Representatives Monday through Friday 9 a.m to 6 p.m. EST.
Changes to certain account information may require verification.

Billing and Customer Inquiries:

ATTN: Sales Accounting

CA, Inc.
One CA Plaza
Islandia, NY 11749
TIN # 13-2857434

ELECTRONIC FUNDS TRANSFER

Wachovia Bank, NA ABA #0312-0146-7
Account # 2000028313816
Account Name: CA, Inc.
1 South Broad Street
Mail Code PA 1227
Philadelphia PA 19107

Telephone: 800-637-5858 or Fax: 631-342-4873 or Email: invoicing@ca.com

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Kathleen Lane

Contact Number: 404-335-1983

Originating Department: Department of Information Technology

Committee(s) of Purview: Finance/Executive Committee

Chief of Staff Deadline: October 29, 2008

Anticipated Committee Meeting Date(s): Nov. 12, 2008

Anticipated Full Council Date: December 1, 2008

Legislative Counsel's Signature: 

Commissioner Signature: 

Chief Procurement Officer Signature: 

CAPTION

AN ORDINANCE TO AUTHORIZE THE MAYOR TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ATLANTA CITY CODE ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO REMIT PAYMENT TO CA INC., FOR THE PAST DUE INVOICE FOR THE CURRENT CONTRACT YEAR IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SIXTY-EIGHT THOUSAND, ONE HUNDRED FORTY-FIVE DOLLARS AND EIGHTY-ONE CENTS (\$168,145.81) FOR MAINFRAME OPERATIONS MANAGEMENT, DESKTOP MANAGEMENT, NETWORK MANAGEMENT, AND INFORMATION SECURITY SOFTWARE LICENSES, SUPPORT AND MAINTENANCE TO BE CHARGED TO AND PAID FROM FDOA NUMBER 1001 (GENERAL FUND) 050202 (IT APPLICATIONS) 5410001 (CONSULTING/PROFESSIONAL SERVICES) 1535000 (DATA PROCESSING/MANAGEMENT INFORMATION SYSTEM); AND FOR OTHER PURPOSES.

Mayor's Staff Only

Received by CPO: _____

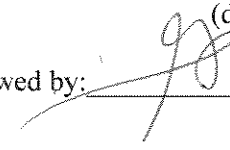
(date)

Received by LC from CPO: _____

(date)

Received by Mayor's Office: 

(date)

Reviewed by: 

(date)

Submitted to Council: _____